

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:20-CR-00027-RJC-DCK

USA )  
 )  
v. )                           ORDER  
 )  
LUIS PINEDA ANCECTA )  
 )

---

**THIS MATTER** is before the Court upon motion of the defendant pro se for a reduction of sentence based on Amendment 821 to the United States Sentencing Guidelines relating to certain zero-point offenders. (Doc. No. 67).

Part B, Subpart 1 of the Amendment is retroactive and created a two-level decrease if a defendant meets all the criteria in USSG §4C1.1(a). USSG §1B1.10(d), comment. (n.7). The defendant received criminal history points under USSG Chapter 4, Part A. (Doc. No. 46: Presentence Report ¶46). He also used violence, and credible threats of violence, and possessed a dangerous weapon in connection with his kidnapping offense. (Id. at ¶¶23, 36). Accordingly, he is not eligible for relief. USSG § 4C1.1(a)(1), (3), and (7).

**IT IS, THEREFORE, ORDERED** that the defendant's motion is **DENIED**.

Signed: April 8, 2024



Robert J. Conrad, Jr.  
United States District Judge

